

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN JANTZON,

Defendant.

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8:08CR61

ORDER

This matter is before the court on the defendant's motion to continue trial (Doc. 50). A 60-day continuance is requested so that counsel can review discovery. Defendant wishes to review a large number of "additional" materials to which he was given access, but the motion does not state when the additional materials became available for inspection. The defendant has not filed a written affidavit signed by the defendant in accordance with NECrimR 12.1, and has not otherwise complied with paragraph 2 of the Trial Order filed September 16, 2008.

IT IS ORDERED that the motion to continue trial (Doc. 50) is denied, and the trial of this matter remains set for October 14, 2008.

Pursuant to NECrimR 57.2, a party may appeal this order by filing an "Appeal of Magistrate Judge's Order" no later than **12:00 noon on Wednesday, October 8, 2008.**

DATED October 6, 2008.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**